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ABSTRACT

This essay discusses collective bargaining at a small college in Illinois. After a historical review of the conditions in the 1960s that gave rise to collective bargaining units in higher education, recent alternatives and adjustments to the bargaining process are presented, as typified in the recent experience of Carl Sandburg College in Galesburg, Illinois. The college would avert direct confrontation. First, the administration and board gathered near- and long-term financial plans, identified alternatives, and set guidelines for bargaining; then they held a series of informal gatherings and seminars to create and maintain an atmosphere of optimal communication and trust, with both the faculty and the college community-at-large. This process helped the negotiating teams see the impact of prospective bargaining issues on other employees and resources of the college. By the time negotiations were due to start, there was little discernible difference between the bargaining parties. The result was a brief and amicable negotiation process that reached closure in only five weekly sessions. Consideration of the evolving political and socioeconomic climate suggests that the possibility exists for such improvements in the collective bargaining process. (TE)

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A Prescription for Success

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A Paper Presented to a
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COLLECTIVE COMMUNICATIONS

A Prescription for Success

Prior to 1960, the literature was pretty well void of significant research and commentary on collective bargaining in higher education. (Kemerer, p. 1; Angell, p. 85). Over the last thirty years, however, a plethora of studies, articles, and books has examined the topic. (Douglas and Wiener, pp. 1-106). A review of some of these and even some more recent publications indicates that there is little in the way of new developments that needs to be documented in depth for posterity. However, current and near term projections and implications of the political and economic climate probably should be recognized for their potential impact on collective bargaining in higher education.

Openers

While collective bargaining had begun to emerge as a viable force to be reckoned with in public elementary and secondary education by the 1960's, collective bargaining in higher education during this same period was scattered and with only occasional notice.

In the wake of a post-war (Korean Conflict) and war-time (Viet Nam) economy, higher education flourished. Many state colleges and universities were bursting at the seams with products of the baby boom (World War II) and the veterans programs and benefits. New technologies and adults who were trying to keep pace with it all contributed to the

construction of one community college a week. The rapid growth phenomena found company among and support from political liberals, (presidents Kennedy and Johnson), as they pumped millions of higher education dollars into the guns and the butter economy. Participants in this frenzy began to search for their niche.

Students demanded relevancy and a role in decision making. Faculty sought identity in the complex bureaucracies and parity with student and other employee groups who were achieving new found status. Traditional collegial models were perplexed and frustrated as they attempted to deal with the new "conditions of employment." (Taylor, pp. 1-10). As the developments and process became more complex, existing communications systems failed to deliver. Meanwhile, high school faculty began to achieve recognition and monetary reward by organizing their members and taking a stand. (Angell, pp. 89-90).

Amidst this scenario, negotiations in higher education, particularly the community colleges, became established as a major force in American academic governance. (Tice, p. 7). Taylor traced this impetus back several decades to the early craft guilds and trade unions that spawned the American labor movement. Taylor noted that they had organized primarily to:

1. Strive for fair working hours, wages, and conditions of employment; and
2. Monitor the qualifications of their membership and the quality of their work (Taylor, pp. 1-10).

In the case of higher education, the latter cause has been relegated to the state or employer whereas the former cause has been addressed by

government fiat. Legislation enabling collective bargaining in the public sector has typically been reserved to "hours, wages, and conditions of employment." (Illinois House of Representatives Bill 1530). While all legislation is sure to undergo some scrutiny, be it serious or harassing, the "hours and wages" provisions have stood fairly well unscathed "Conditions of employment," on the other hand, has become a catch-all for a myriad of issues that respective bargaining groups may want to surface. Class-size and tenure, for example, are cases in point.

As fiscal resources become more and more limited, one of the more immediate and effective measures to increasing productivity is the enhancement of class size. Management would argue that it is a "management right" and is not negotiable. Faculty would argue that it directly affects their working conditions and should be negotiated. Legal interpretations throughout the various states are divided. Even though it is often a legal privilege, tenure is subject to pretty much the same scenario. Faculty would argue it to be a condition of employment and therefore negotiable. The administration would maintain that tenure does not protect anyone. The ultimate arbiter may well (and perhaps rightfully so) be the student! And just as the student may influence this decision, so may other forces, external to the bargaining process, begin to shape negotiations in higher education for the next decade.

In 1973, Phillip Semas identified seven fears that faculty had about the advent of collective bargaining in higher education:

1. That collective bargaining will destroy the traditional ways of running universities -- "shared authority" between faculty and administration that is much prized by academicians.

2. That collective bargaining will transform professors and administrators from friendly colleagues into contentious adversaries.

3. That Boards of Trustees, faced with negotiating formal contracts, will reassert their legal powers over such areas as curriculum and faculty hiring, promotion and tenure -- powers they have been willing to delegate informally to faculties.

4. That college administrators and boards will demand the same "management rights" to run their universities as corporate executives have to run their businesses.

5. That the real power of admission to the professorate exercised in decisions on hiring, promotion and tenure will pass from scholars in the academic departments to outside labor arbitrators.

6. That collective bargaining will so entrench a college's existing faculty that the institution will be unable to innovate, to adapt to changing clientels, or to upgrade itself.

7. That collective bargaining will transform the college professor from an independent professional into some kind of academic assembly-line worker. (Semas, p. 9).

While there certainly have been some adjustments to prevailing practices and attitudes, none of these fears has significantly altered the course of higher education. (Cunningham, pp. 15-17). Faculty senates and the like continue to function and participate in the decision-making process across most college campuses. Although some would disagree, (Cherim, p. 49) the adversarial roles between professor and administrator are probably only heightened at negotiating time and then probably no greater than they are when a controversial issue is bandied about the collegial cauldron. Boards of Trustees have encroached very little, if at all, on the involvement of faculty in curriculum, faculty hiring, promotion and tenure. Although many critics would encourage it as recourse for their fiscal woes, college administrators have yet to don the

cloth of corporate executives. Likewise, faculty have not traded their chino slacks and cordurory jackets for steel-toed boots and blue-collared broad cloths. Lastly, changing socio-economic conditions have ushered in all sorts of innovations, particularly those that cater to the non-traditional student. While the fears of the Semas study appear to have been unrealized and the thrust of collective bargaining somewhat changed, the movement, as a whole, does not appear destined for an early demise.

In spite of the fact that collective bargaining has not had a significantly different impact on salaries as compared to other non-organized faculty colleges (Baker, p. 201), for example, higher education unions appear to want to continue to seek salaries and fringe benefits, job security, and participation in the decision-making process as their key objectives. (Angell, p. 5, Kemerer, pp. 40-41). Accordingly, Doherty and Clark predict that collective bargaining will be the primary method for determining the salaries and fringe benefits of teachers in the forseeable future. (Angell, p. 92). Kemerer, however, cautioned that political and socio-economic influences may well influence this direction. (Kemerer, p. 3). There are some indications that Kemerer's caution may have come to pass. The strong stand of the Reagan administration against the air traffic controllers and the shift in our business climate from manufacturing to service industries has caused unions to reconsider their strategies, membership, and thrust. (Unions, US News, p.96). Knott suggests that the economic climate may draw labor and management together and hence defuse their traditional adversarial positions and perceptions. (Knott, p. 19). Recent campus votes within the Illinois system of higher

education that rejected union representation may be a verification of this trend. (Chronicle, p. 2).

Given these trends and circumstances, Ernst envisions that some alternatives and adjustments to the bargaining process might be the key to negotiations success. Among others, he suggests that pre-negotiations, third party objectivity, and "side-bars" should be considered. (Ernst, New Directions, pp. 60-61). Hopefully, as both sides become more familiar and comfortable with the process, the invective that shrouds the process will dissipate. (Angell, p. 92).

Most recently (1986), Carl Sandburg College, Galesburg, Illinois, experimented and had success with some applications and variations along these lines.

Negotiations

With the passage of Illinois House Bill 1530 in 1984, public collective bargaining was sanctioned with the authority to strike. As fate would have it, Carl Sandburg College was one of the first colleges to enter their negotiations process following the passage of the law. As with many other public school systems that year, the CSC faculty tested their new found privilege to strike. While it only lasted a few days, the memories were not pleasant and not soon to be forgotten. In an effort to avoid this experience the next time around, the administration, faculty, and board of trustees planned and implemented a much improved process. Preparations were under way months before the first scheduled negotiations meeting.

The administration and board spent the early part of the year gathering and studying their near and long term institutional plans with particular emphasis on the financial condition of the college. Various alternatives were identified and bargaining parameters were established. Creating and maintaining an atmosphere of optimal communication was determined to be the priority of highest order.

The December board meeting was followed by an all-school luncheon celebrating the blessings of the holiday season. A party for board, administration, and faculty bargaining teams followed at the president's home. Names became people. People who would talk and who could listen. While the communication flow was about families, food, and the holidays, it set a humane and cordial atmosphere for the sessions to follow.

About one month later in January, the same parties gathered once again for a two-hour seminar on the topic of communications. The session was led by a college communications professor from a nearby college. It was designed to reinforce the concept and benefits of striving for effective communications and understanding throughout the negotiations process. The seminar leader, using simulations, involved all of the participants and placed some of them in situations where their actual roles of faculty and management were reversed. This exercise coupled with the dinner that followed began to broaden and enhance the base of understanding and appreciation between the bargaining teams. Although minimal, the foundation and promise for trust had been laid. For the travel convenience of the board of trustees, their regularly scheduled monthly meeting followed. The faculty bargaining team was invited to attend.

In February, the regularly scheduled board meeting was again preceded by dinner with respective bargaining teams. In a continuing effort to facilitate optimal communication and understanding between all parties concerned, great care was taken to ensure that the seating at the dinner tables was mixed with board, administration, and faculty equally distributed. The dinner, in turn, was preceded by an all-school forum. The president addressed all of the assembled employees of the college. The assembly then retreated in groups to separate rooms for reaction to the president's remarks and discussion of any other items of interest. Each group had board and administrative representatives present. This process reinforced the intent to facilitate maximum communication throughout the college as well as to the collective bargaining process. It helped the negotiating teams to learn of and consider the interdependence and impact of prospective bargaining issues on other employees and resources of the college. It also served as a valuable information source for the strategic planning process of the college. Members of the college planning committee were represented at the assembly and in each discussion group and integrated their observations with their role in developing the annual and long range goals for the college.

The March meeting of the board of trustees was again preceded by a dinner and seminar with the board/administration and faculty bargaining teams. The seminar topic was collective bargaining. The seminar leader was a former college administrator who had become a professional consultant on communications. He surveyed the respective bargaining parties a few weeks before the seminar on their attitudes towards past and

upcoming negotiations at the college. During the seminar, he revealed his findings that there was little discernable difference between the bargaining parties. Having established the potential for reaching closure and drawing upon the advise of Fisher and Ury (Getting To Yes, pp 3-17), he then utilized a gaming technique to illustrate that the best interests of the college would be served if the bargaining teams were to concentrate on the issues and not their respective positions.

Formal meetings between the bargaining teams began in April with the exchange and clarification of their respective packages. These meetings were professional, cordial, and lasted but a few hours in total. In May, the teams met twice for a couple of hours each to react to each other's packages and put any new items on the table. Four brief, amicable meetings were held in June to reconcile differences and closure was reached after the only July meeting. The result was a two-year contract with no significant language or benefits changes other than salary. Salary increases were in the amount of 5% plus a step in the first year and 5.7% plus a step in the second year. As an important aside, the board, upon the recommendation of the administration, also agreed to provide similiar increases to all other employees of the college.

Closure

Yogi Berra of New York Yankee fame and a recognized oratorical giant of our times, reportedly once quipped, following another losing baseball game in a string of losing contests, "it seems like de ja vu all over again." In reviewing the literature, it would appear that the same projection may be made for the near future of collective bargaining in higher education, namely "de ja vu all over again." On the other hand, simultaneous consideration of the evolving political and socio-economic climate suggests that the possibility for positive change certainly exists. As the process matures and the participants develop enhanced negotiating technique and skill, the opportunity for amicable and successful bargaining can occur. More extensive preparation from both sides for the sessions should deliver more productive and expeditious deliberations. And the constant reminder and practice of communications skills may well prescribe success.

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